

patching holes or open pipes that allow cockroaches entry; caulking cracks in walls; moving bushes away from buildings so cockroaches do not have easy access; and ensuring that all windows are properly screened.

The Urban Asthma Reduction Act creates new possibilities for communities that are serious about making integrated pest management a component of a comprehensive public health policy. My hope is that the Urban Asthma Reduction Act of 1999 will prove a viable tool for urban communities to improve the quality and life of all residents, but especially children who suffer from asthma.

A TRIBUTE TO TAYLOR COUNTY FIRE AND RESCUE

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1999

Mr. BOYD. Mr. Speaker, I rise today to pay tribute to the Taylor County Fire Rescue Department, for their courage and devotion in the face of disaster.

This past summer, the Florida Gas Transmission Company's Perry Gas Compressor exploded. Flames raged for nearly seven hours, injuring five people and leveling six homes in the area. Taylor County Fire Rescue responded first, with firefighters from other areas offering assistance.

Taylor County Rescue Chief Ashley Newell, firefighter Lt. Peter Bishop, firefighter Danny Hunter and volunteer Sonny Buckhalter demonstrated considerable courage under pressure. While fighting the fire from the first explosion, a secondary explosion caught the men off guard, trapping them near advancing flames. Only hasty action on their part prevented injuries from becoming fatalities. Their quick decisions saved the lives of several citizens and averted extensive property damage.

Mr. Speaker, it is with great honor that I pay tribute to Taylor County Fire Rescue Department. By placing their lives in danger, these firefighters have shown great courage and devotion to the protection of their community.

BANGLADESH IMMIGRATION BILL, H.R. 849

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1999

Mr. GILMAN. Mr. Speaker, it is with great pleasure that I rise to introduce H.R. 849 a bill to provide for the adjustment of status of certain nationals of Bangladesh who have resided in the United States for over a decade. Despite attempts at promoting democracy and pluralism in Bangladesh, nearly half of that nation's populations still live below the poverty line. Per capita income is approximately \$260 per year making Bangladesh one of the poorest nations in the world.

The monsoons of 1998 have magnified Bangladesh's problems making it ever more difficult for the people of that nation to distribute

the scarce resources available. With 830 people per square kilometer, Bangladesh is one of the world's most densely populated places. In 1992, nearly 2/3 of Bangladeshi children suffered from severe malnutrition. The current picture in Bangladesh remains exceedingly bleak.

The recent nuclear threats emanating from Bangladesh's larger neighbors have placed further burdens on a nation which has traveled so far in its quest for democracy yet remains precariously perched in a very dangerous neighborhood. These issues highlight the needs of this country and its people. We can do something vital and tangible to demonstrate our commitment to help a limited number of Bangladeshi people who have lived in the United States for at least a decade, contributed to American society and in many cases raised their American children.

The perils of living in poverty and in the climatic devastation in Bangladesh has forced some of these people to follow the same route of our own ancestors and seek refuge in the United States. Some of these people are suspended in a state of permanent illegality, entangled in a labyrinth of changing complex immigration laws. These people are not on our welfare roles and will not become wards of the state. They are good, hard working people with whom I have been proud to associate.

Mr. Speaker, let us do what is right, let us do what is just and let us do what is humane. Let us respect that role that immigrants have played in the cultural mosaic that is our United States. Accordingly, I invite my colleagues to join me in supporting this limited action to legalize those who truly are deserving of permanent residency in this great nation.

Accordingly, Mr. Speaker, I request that a copy of this bill be inserted into the RECORD following my remarks.

H.R. 849

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bangladeshi Adjustment Act".

SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN NATIONALS OF BANGLADESH.

(a) ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—The status of any alien described in subsection (b) shall be adjusted by the Attorney General to that of an alien lawfully admitted for permanent residence, if the alien—

(A) applies for such adjustment before July 1, 2001; and

(B) is otherwise admissible to the United States for permanent residence, except in determining such admissibility the grounds for inadmissibility specified in paragraphs (4), (5), (6)(A), (7)(A), and (9)(B) of section 212(a) of the Immigration and Nationality Act shall not apply.

(2) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—An alien present in the United States who has been ordered excluded, deported, removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1). Such an alien may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order. If the At-

torney General grants the application, the Attorney General shall cancel the order. If the Attorney General renders a final administrative decision to deny the application, the order shall be effective and enforceable to the same extent as if the application had not been made.

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—The benefits provided by subsection (a) shall apply to any alien who is a national of Bangladesh and who has been physically present in the United States for a continuous period, beginning not later than July 1, 1989, and ending not earlier than the date the application for adjustment under such subsection is filed, except an alien shall not be considered to have failed to maintain continuous physical presence by reason of an absence, or absences, from the United States for any periods in the aggregate not exceeding 180 days.

(2) PROOF OF COMMENCEMENT OF CONTINUOUS PRESENCE.—For purposes of establishing that the period of continuous physical presence referred to in paragraph (1) commenced not later than July 1, 1989, an alien—

(A) shall demonstrate that the alien, prior to July 1, 1989—

(i) performed service, or engaged in a trade or business, within the United States which is evidenced by records maintained by the Commissioner of Social Security; or

(ii) applied for any benefit under the Immigration and Nationality Act by means of an application establishing the alien's presence in the United States prior to July 1, 1989; or

(B) shall make such other demonstration of physical presence as the Attorney General may provide for by regulation.

(c) STAY OF REMOVAL; WORK AUTHORIZATION.—

(1) IN GENERAL.—The Attorney General shall provide by regulation for an alien subject to a final order of deportation or removal to seek a stay of such order based on the filing of an application under subsection (a).

(2) DURING CERTAIN PROCEEDINGS.—Notwithstanding any provision of the Immigration and Nationality Act, the Attorney General shall not order any alien to be removed from the United States, if the alien is in exclusion, deportation, or removal proceedings under any provision of such Act and has applied for adjustment of status under subsection (a), except where the Attorney General has rendered a final administrative determination to deny the application.

(3) WORK AUTHORIZATION.—The Attorney General may authorize an alien who has applied for adjustment of status under subsection (a) to engage in employment in the United States during the pendency of such application and may provide the alien with an "employment authorized" endorsement or other appropriate document signifying authorization of employment, except that if such application is pending for a period exceeding 180 days, and has not been denied, the Attorney General shall authorize such employment.

(d) ADJUSTMENT OF STATUS FOR SPOUSES AND CHILDREN.—

(1) IN GENERAL.—The status of an alien shall be adjusted by the Attorney General to that of an alien lawfully admitted for permanent residence, if—

(A) the alien is a national of Bangladesh;

(B) the alien is the spouse, child, or unmarried son or daughter, of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a), except that in the case of such an

unmarried son or daughter, the son or daughter shall be required to establish that they have been physically present in the United States for a continuous period, beginning not later than July 1, 1989, and ending not earlier than the date the application for adjustment under this subsection is filed;

(C) the alien applies for such adjustment and is physically present in the United States on the date the application is filed;

(D) the alien is otherwise admissible to the United States for permanent residence, except in determining such admissibility the grounds for exclusion specified in paragraphs (4), (5), (6)(A), (7)(A), and (9)(B) of section 212(a) of the Immigration and Nationality Act shall not apply; and

(E) applies for such adjustment before July 1, 2001.

(2) **PROOF OF CONTINUOUS PRESENCE.**—For purposes of establishing the period of continuous physical presence referred to in paragraph (1)(B), an alien—

(A) shall demonstrate that such period commenced not later than July 1, 1989, in a manner consistent with subsection (b)(2); and

(B) shall not be considered to have failed to maintain continuous physical presence by reason of an absence, or absences, from the United States for any period in the aggregate not exceeding 180 days.

(e) **FEE.**—The Attorney General shall impose a fee of \$1,000 on each alien filing an application for adjustment of status under this section.

(f) **AVAILABILITY OF ADMINISTRATIVE REVIEW.**—The Attorney General shall provide to applicants for adjustment of status under subsection (a) the same right to, and procedures for, administrative review as are provided to—

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act; or

(2) aliens subject to removal proceedings under section 240 of such Act.

(g) **LIMITATION OF JUDICIAL REVIEW.**—A determination by the Attorney General as to whether the status of any alien should be adjusted under this section is final and shall not be subject to review by any court.

(h) **APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.**—Except as otherwise specifically provided in this section, the definitions contained in the Immigration and Nationality Act shall apply in the administration of this section. Nothing contained in this section shall be held to repeal, amend, alter, modify, affect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of such Act or any other law relating to immigration, nationality, or naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude the alien from seeking such status under any other provision of law for which the alien may be eligible.

BLACK HISTORY MONTH

SPEECH OF

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1999

Mr. CLAY. Mr. Speaker, as we celebrate Black History Month, I am honored to pay trib-

ute to one of this century's greatest poets, a native of my home state of Missouri, the late Melvin B. Tolson (1898–1966). Tolson was a Renaissance man who spent his adult life in the East Texas Black Bible Belt. He was a man of prodigious talent, energy and accomplishment who was singularly devoted to championing the rights and the virtues of the common man. He served his fellow human beings in every way he could. Today he is remembered as a great teacher and a celebrated writer, but Melvin Tolson was also a painter, a cook, a waiter, a janitor, a shoeshine boy, a soldier, an actor, a boxer, a mayor, a newspaper columnist, a packing-house worker and even the poet laureate of Liberia.

Melvin Tolson was, above all, a committed humanist who devoted his life to enhancing the dignity of every human being. As an outspoken leader and champion of lost causes and underdogs, he organized black sharecroppers in the South and was known to narrowly escape a lynch mob on more than one occasion. Tolson spent more than forty years teaching at Wiley and Langston colleges where he coached championship winning Black College debate teams through a ten year winning streak during which they defeated Oxford along with two national champion teams. As a poet, Melvin Tolson's contributions to literature earned him only modest recognition toward the end of his lifetime. Like so many artists, his greatest critical acclaim came after his life ended.

Ralph Ellison, writing in "Shadow and Act", described the rich emotion of Tolson's "Richard Wright's Blues":

The blues is an impulse to keep the painful details and episodes of a brutal experience alive in one's aching consciousness, to finger its jagged grain, and to transcend it, not by the consolation of philosophy but by squeezing it from a near-tragic, near-comic lyricism. As a form, the blues is an autobiographical chronicle of personal catastrophe expressed lyrically . . . Their attraction lies in this, that they at once express both the agony of life and the possibility of conquering it through sheer toughness of spirit.

Mr. Speaker, Melvin Tolson is a source of inspiration to Black Americans. He is one of the shining stars of our history and one of this nation's greatest artists. Tolson created a poetic legacy. His writings will bless and enrich the lives of generations to come. I am happy to report that the Tolson Project has been established to enhance our knowledge and understanding of the works of Melvin B. Tolson and under its leadership, the "Collected Works of Melvin B. Tolson" will be re-issued this year. In closing, I would like to take this opportunity to share some of this distinguished man's immortal words.

DELTA

Art
is not barrel copper easily separated
from the matrix
it is not fresh tissues
—for microscopic study—
one may fix:
unique as the white tiger's pink paws and
blue eyes,

Art
leaves her lover as a Komitas
deciphering intricate Armenia neums,

with a wild surmise.

RENDEZVOUS WITH AMERICA

I see Joe DiMaggio

As his bat cuts a vacuum in the paralyzed
air:

In brown Joe Louis, surged in white acclaim,
As he fights his country's cause in Madison
Square.

A TRIBUTE TO PATRICIA STAFF OF ONALASKA, WISCONSIN

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1999

Mr. KIND. Mr. Speaker, I rise today to pay tribute to Patricia Staff, a true hometown hero from Wisconsin.

Last month, Patricia Staff, who is a resident of my district, took action that potentially saved the life of a young student. Patricia is a school crossing guard in Onalaska, Wisconsin. On Friday, January 8, she was working at her usual crossing location at Quincy Street and Sand Lake Road in Onalaska. While helping students cross this busy intersection, she noticed a car swerving through traffic with no intention of stopping. Patricia quickly grabbed a young boy crossing the intersection and pulled him out of harms way. According to the police, Patricia's actions saved the child from certain injury and possibly death.

Every day, throughout our nation, dedicated men and women serve our country as school crossing guards. It is easy to overlook their work. The job they do, however, is vital to the millions of students who walk to school each day. Crossing guards assist students at busy intersections, they keep an eye out for strangers who may threaten children, they provide parents with the security of knowing their children are safe, and often they become good friends to the students. School crossing guards are essential to the safety and well-being of our children.

Patricia Staff is a tribute to the people of western Wisconsin and all crossing guards. Patricia Staff put the protection of those children going to school above all other concerns, and because of that she potentially saved a life. I rise today to commend Patricia Staff for her work, thank her for dedication to her community, and praise her as a true hero.

TRIBUTE TO THE LATE DICK DAY

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1999

Mr. MCINNIS. Mr. Speaker, it is with great sadness that I wish to take this moment to recognize the remarkable life and significant achievements of one of Colorado's leading journalists for the past thirty years, Dick Day. Tragically, Dick died in an automobile accident on December 8, 1998. While family, friends and colleagues remember the truly exceptional